

ADMINISTRATIVE SERVICES DEPARTMENT[11]

Notice of Intended Action

Proposing rule making related to five-year rules review and providing an opportunity for public comment

The Administrative Services Department hereby proposes to amend Chapter 1, “Department Organization,” Chapter 4, “Public Records and Fair Information Practices,” and Chapter 6, “Agency Procedure for Rule Making”; rescind Chapter 20, “Information Technology Governance,” Chapter 25, “Information Technology Operational Standards,” and Chapter 26, “Information Technology Development Strategies and Activities”; and amend Chapter 41, “Auditing Claims,” Chapter 100, “Capitol Complex Operations,” and Chapter 118, “Purchasing Standards for Service Contracts,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 8A.104, 17A.3 and 17A.4.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 8A.104 and 17A.7(2).

Purpose and Summary

This proposed rule making includes amendments in nine of the Department’s chapters of administrative rules in the Iowa Administrative Code. These amendments include updates of the Department’s organizational references in addition to processes and procedures. All are part of the Department’s five-year review of rules.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

The Department will not grant waivers under the provisions of these rules, other than as may be allowed under Chapter 9 of the Department’s rules concerning waivers.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on February 28, 2023. Comments should be directed to:

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Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend paragraph **1.4(3)“b”** as follows:

b. Other functions. The state accounting enterprise also includes financial reporting, the ~~I-3 program~~ enterprise resource planning team, and centralized payroll.

ITEM 2. Amend subrule 1.4(6) as follows:

1.4(6) Central procurement, ~~and fleet,~~ and print services enterprise. The chief operating officer of the enterprise is appointed by the director and directs the work of the enterprise.

a. Central procurement is charged with procuring goods and services for agencies pursuant to Iowa Code chapter 8A. These rules and applicable Iowa Code sections apply to the purchase of goods and services of general use by any unit of the state executive branch, except any agencies or instrumentalities of the state exempted by law.

~~*b.* Central procurement shall manage statewide purchasing and electronic procurement, including managing procurement of commodities, equipment and services for all state agencies not exempted by law.~~

~~*e. b.* Fleet services is responsible for the management of vehicle assignment, maintenance, fuel guidelines, driver guidelines, insurance, life-cycle analysis, vehicular risk, and travel requirements for state agencies not exempted by law.~~

c. Print services is responsible for operating a centralized print facility and satellite facilities necessary to meet the printing requirements of state agencies not exempted by law.

ITEM 3. Rescind subrule **4.15(10)**.

ITEM 4. Renumber subrules **4.15(11) to 4.15(21)** as **4.15(10) to 4.15(20)**.

ITEM 5. Amend **11—Chapter 6**, implementation sentence, as follows:

These rules are intended to implement Iowa Code ~~chapter~~ chapters 8A and 17A and 2003 Iowa Code Supplement chapter 8A.

ITEM 6. Rescind and reserve **11—Chapter 20**.

ITEM 7. Rescind and reserve **11—Chapter 25**.

ITEM 8. Rescind and reserve **11—Chapter 26**.

ITEM 9. Amend paragraph **41.5(3)“a”** as follows:

a. ~~All state agencies covered by the statewide travel agency contracts may purchase airline tickets through a travel agency under contract.~~ Agencies shall develop internal policies so that agencies purchase or direct their employees to purchase tickets from the source determined by the agency to be the best value.

ITEM 10. Amend subrule 41.5(7) as follows:

41.5(7) Verification of mileage. The travel shall be by the usually traveled route. Mileage shall be based on published mileage ~~published by the American Automobile Association, when available.~~ Any variation from the published mileage should be documented in writing.

ITEM 11. Rescind subrules **41.7(4)** and **41.7(5)**.

ITEM 12. Renumber subrules **41.7(6)** to **41.7(8)** as **41.7(4)** to **41.7(6)**.

ITEM 13. Amend paragraph **100.6(6)“a”** as follows:

a. Purchase from a targeted small business. An agency may purchase standard modular office systems and related components and other furniture items from a targeted small business (TSB) without further competition when the purchase will not exceed \$10,000, the threshold established in 11—subrule 117.5(2), as provided in Iowa Code section 8A.311(10)“a.”

ITEM 14. Amend rule **11—118.3(8A)**, definition of “Service,” as follows:

“Service” or “services” means work performed for a state agency or for its clients by a service provider and includes, but is not limited to:

1. Professional or technical expertise provided by a consultant, advisor or other technical or service provider to accomplish a specific study, review, project, task, or other work as described in the scope of work. By way of example and not by limitation, these services may include the following: accounting services; aerial surveys; aerial mapping and seeding; appraisal services; land surveying services; construction manager services; analysis and assessment of processes, programs, fiscal impact, compliance, systems and the like; auditing services; communications services; services of peer reviewers, attorneys, financial advisors, and expert witnesses for litigation; ~~architectural services;~~ information technology consulting services; services of investment advisors and managers; marketing services; policy development and recommendations; program development; public involvement services and strategies; research services; scientific and related technical services; software development and system design; and services of underwriters, physicians, and pharmacists, ~~engineers, and architects;~~ or

2. No change.

ITEM 15. Adopt the following new subrule 118.5(4):

118.5(4) When the estimated value of an architectural services contract, an engineering services contract, or both is greater than the competitive bid threshold listed in Iowa Code section 314.1B(2), the department shall use a formal competitive selection process to procure the architectural service, the engineering service, or both.